

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**ARTURO REYES, BRYON GOINS and  
ARMANDO DE LA FUENTE PERALTA, on behalf  
of themselves and all others similarly situated,**

**08 CV 02494 HB**

**Plaintiffs,**

**-against-**

**NOTICE OF  
MOTION TO DISMISS**

**BUDDHA-BAR NYC; LITTLE REST TWELVE,  
INC.; NINA ZAJIC; DAVID KAY; and ABDUL  
RAHMAN EL JASTIMI a/k/a PETER JASTIMI,**

**Defendants.**

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**PLEASE TAKE NOTICE** that, upon the annexed Affidavit of Peter Biging, Esq., dated June 30, 2008, the exhibits annexed thereto, and the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss Plaintiffs' Class Action Complaint, Defendant LITTLE REST TWELVE, INC. d/b/a BUDDHA BAR-NYC ("Defendant" or "Buddha Bar") will move this Court, Harold Baer, Jr., J. U.S.D.J., in Room 23B, United States Courthouse, 500 Pearl Street, New York, New York 10007 on a date to be determined by this Court for an Order:

- (a) pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing the Plaintiffs' Complaint as against Buddha Bar; and
- (b) for such other, further and different relief as this Court may deem just and proper.

Dated: New York, New York  
June 30, 2008

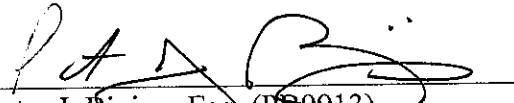
Respectfully submitted,

**LEWIS BRISBOIS BISGAARD & SMITH LLP**

*Attorneys for the Defendant*

Little Rest Twelve, Inc. d/b/a Buddha Bar-NYC

By:

  
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